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ATTORNEY'S DOCKET NUMBER

095309.57890US

U.S. APPLICATION NO. (If known, use 37 CFR 1.5)

10/584126

INTERNATIONAL APPLICATION NO.

PCT/EP2004/013263

INTERNATIONAL FILING DATE

23 November 2004 (23.11.2004)

PRIORITY DATE CLAIMED

23 December 2003 (23.12.2003)

TITLE OF INVENTION

DEVICE COMPRISING A UNIT FOR ACTUATING A VARIABLE DRIVE UNIT OF A MOTOR VEHICLE

APPLICANT(S) FOR DO/EO/US

Jochen STRENKERT

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ Is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Four (4) sheets of drawings showing Figures 1, 2, 3 and 4; International Search Report; German Office Action and translation of relevant portions thereof; Six (6) non-US references; Forms PCT/IB/301 and PCT/IB/304; Front page of International Application (WO 2005/066476 A1); and Form PCT/IB/308

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/584126		PCT/EP2004/013263		095309.57890US	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21.	<input checked="" type="checkbox"/>	Basic national fee (37 C.F.R. §1.492(a))	\$300.00	\$300.00	
22.	<input checked="" type="checkbox"/>	Examination fee (37 C.F.R. §1.492(c))			
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0.00	
All other situations				\$200.00	\$200.00
23.	<input checked="" type="checkbox"/>	Search fee (37 C.F.R. §1.492(b))			
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB				\$400	
All other situations				\$500	\$400.00
TOTAL OF 21, 22 AND 23 =				\$900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100	/ 50 =		x 250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	09 - 20	0	x 50	\$	
Independent claims	01 - 3	0	x 200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$0	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$1,030.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$1,030.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 05-1323 (Attorney Docket No. 095309.57890US) in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-1323 (Attorney Docket No. 095309.57890US). A duplicate copy of this sheet is enclosed.					
d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Crowell & Moring, LLP Intellectual Property Group P.O. Box 14300 Washington, D.C. 20044-4300 Tel. No. (202) 624-2500 Fax No. (202) 628-8844					
GRE:kms 2793265_1				 SIGNATURE Gary R. Edwards NAME 31,824 REGISTRATION NUMBER June 23, 2006 DATE	

10/584126
AP3 Rec'd PCT/PTO 23 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Confirmation No. :
First Named Inventor : Jochen STRENKERT
Filed : June 22, 2006
TC/A.U. :
Examiner :

Docket No. : 095309.57890US
Customer No. : 23911

Title : Device Comprising a Unit for Actuating a Variable Drive
Unit of a Motor Vehicle

SUBMISSION OF SUBSTITUTE SPECIFICATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 22, 2006

Sir:

Attached are a Substitute Specification and a marked-up copy of the original specification. I certify that said substitute specification contains no new matter and includes the changes indicated in the marked-up copy of the original specification.

Respectfully submitted,



Gary R. Edwards
Registration No. 31,824

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